

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

IN RE STAR SCIENTIFIC, INC.	)	
DERIVATIVE LITIGATION	)	Lead Case No. 1:13-cv-00550-AJT-JFA
	)	
This Document Relates to:	)	
	)	
ALL ACTIONS	)	
	)	

**MOTION OF JOHN E. PROMINSKI, JR., JOANNA ANDREA DIAKOS (*PRO HAC VICE*), CHARLES LEE EISEN (*PRO HAC VICE*) AND NICHOLAS GEORGE TERRIS (*PRO HAC VICE*) TO WITHDRAW AS COUNSEL FOR NOMINAL DEFENDANT STAR SCIENTIFIC, INC.**

COME NOW John E. Prominski, Jr., Joanna Andrea Diakos, *pro hac vice*, Charles Lee Eisen, *pro hac vice*, and Nicholas George Terris, *pro hac vice*, pursuant to Local Rule 83.1(G), and hereby move for leave to withdraw as counsel for nominal defendant Star Scientific, Inc. in this action on the following grounds:

1. On December 3, 2013, John E. Prominski, Jr., a member of the bar of this Court, filed a Notice of Appearance (ECF No. 13) entering his appearance on behalf of defendants, including nominal defendant Star Scientific, Inc. in this action.

2. On January 27, 2014, the Court granted the motions of Joanna Andrea Diakos, Charles Lee Eisen and Nicholas George Terris to be admitted *pro hac vice* to represent nominal defendant Star Scientific, Inc. (ECF Nos. 29, 30 and 31, respectively) in this action.

3. Nominal defendant Star Scientific, Inc. has retained separate counsel to represent it in this action. On February 3, 2014, R. Scott Caulkins, a member of the bar of this Court, filed an Appearance of Counsel (ECF No. 44) entering his appearance on behalf of nominal defendant Star Scientific, Inc. On February 4, 2014, the Court granted the motions of Kurt Michael

Heyman and Dawn Kurtz Crompton to be admitted *pro hac vice* to represent nominal defendant Star Scientific, Inc. (ECF Nos. 56, 57, respectively) in this action.

4. Nominal defendant Star Scientific, Inc. has requested that John E. Prominski, Jr., Joanna Andrea Diakos, Charles Lee Eisen and Nicholas George Terris withdraw their respective appearances for it in this action. Nominal defendant Star Scientific, Inc. consents to said withdrawal of appearances.

5. Pursuant to Local Rule 83.1(G), John E. Prominski, Jr., Joanna Andrea Diakos, Charles Lee Eisen and Nicholas George Terris request that they be permitted to withdraw their respective appearances for nominal defendant Star Scientific, Inc. in this action. John E. Prominski, Jr. will continue as counsel of record for all defendants other than nominal defendant Star Scientific, Inc. In addition, Joanna Andrea Diakos, Charles Lee Eisen and Nicholas George Terris, having been previously admitted *pro hac vice* as counsel in this action, request the Court for approval to enter their appearances as counsel, *pro hac vice*, for all defendants other than nominal defendant Star Scientific, Inc.

WHEREFORE, John E. Prominski, Jr., Joanna Andrea Diakos, Charles Lee Eisen and Nicholas George Terris request the Court to grant this motion and enter the accompanying proposed order.

Dated: February 10, 2014

Respectfully submitted,

/s/

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on February 10, 2014, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record:

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And I HEREBY CERTIFY that I will mail the document by U.S. mail and email to the following non-filing users:

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